

Application No. 09/880,243
Amendment "A" dated September 16, 2004
Reply to Office Action mailed August 3, 2004

REMARKS

Applicants express appreciation to the Examiner for the courtesy of the recent interview granted to Applicants' attorney on September 14, 2004. The claim amendments made by this paper are consistent with the proposed claim amendments presented during the course of the interview.

The first Office Action, mailed August 3, 2004, considered claims 1-48. Of these claims, claims 35-42 were found allowable and claims 8, 13-16, 21, 23, 44 and 46 were objected to but otherwise found allowable.¹ By this paper, each of the now pending independent claims (other than claim 35, which was previously found allowable) has been amended² to incorporate the scope of at least one of the objected to dependent claims 8, 21 and 44 such that each of these independent claims are now in condition for immediate allowance, along with all of the corresponding dependent claims that depend therefrom. Because dependent claims 8, 21 and 44 have been incorporated into independent claims 1, 9, 17 and 43, they are now cancelled as separate claims.

By this paper, claims 26-34 have also been cancelled, such that claims 1-7, 9-20, 22-25, 35-43 and 45-48 now remain pending. The amendments made herein, including the cancellation of claims 26-34 should not, however, be construed as acquiescing to the purported teachings of the prior art of record. Instead, Applicants are making these amendments and cancellations to expedite prosecution of the allowable subject matter. Accordingly, Applicants reserve the right to pursue the cancelled subject matter and to challenge the purported teachings and status of the prior art at any appropriate time, should it arise. In fact, as discussed during the interview, it is the Applicants intent to pursue some of the cancelled claims in a continuation.

Inasmuch as the amendments made by this paper overcome all the rejections of record, Applicants respectfully submit that all of the pending claims are now in condition for immediate allowance.

¹ Claims 1, 1-2, 4-7, 9-12, 17-20, 24-26, 29-34, 43 and 47-48 were rejected under 35 U.S.C. § 102(e) as being anticipated by Hanamura (U.S. Patent No. 6,587,508). Claims 22 and 45 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Hanamura in view of Werner (U.S. Patent No. 6,668,088). Claim 27 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Hanamura in view of Hurst (U.S. Patent No. 6,763,067). Claim 28 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Hanamura in view of Wang (U.S. Patent No. 6,441,754). Claim 3 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Hanamura in view of Chen (U.S. Patent No. 6,757,648).

² Dependent claim 13 has also been amended to improve the consistency, accuracy, clarity and scope of said claim, as discussed during the interview.

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In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney.

Dated this 16 day of September 2004.

Respectfully submitted,



RICK D. NYDEGGER
Registration No. 28,651
JENS C. JENKINS
Registration No. 44,803
Attorneys for Applicant

Customer No. 022913

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